

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

August 8, 2008

No. 07-20796

Charles R. Fulbruge III
Clerk

KATHLEEN DOTY

Plaintiff-Appellee

v.

SUN LIFE ASSURANCE COMPANY OF CANADA

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
4:06-CV-1869

Before GARZA and DENNIS, Circuit Judges, and MILLS, District Judge.*

PER CURIAM:**

Sun Life Assurance Company of Canada appeals the district court's judgment dismissing this case for lack of subject matter jurisdiction. We have reviewed the briefs, pertinent portions of the record, and the applicable law and have heard the arguments of counsel. We find no error in the district court's dismissal, and AFFIRM essentially for the reasons stated by the district court in its written order.

* Chief Judge of the Northern District of Mississippi, sitting by designation.

** Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.